

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

10 PEPPERBALL TECHNOLOGIES, INC.,) Civil No. 07cv0672 JAH(POR)
11 v. Plaintiff,)
12 SECURITY WITH ADVANCED)
13 TECHNOLOGY, INC., et al.,)
14 Defendants.)
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**ORDER DENYING PLAINTIFF'S
MOTION TO STRIKE AND
GRANTING PLAINTIFF'S
REQUEST TO FILE A RESPONSE
TO DEFENDANT'S ADDENDUM
[Doc. No. 31]**

16 On October 3, 2007, Defendants filed an addendum to their reply in support of the
17 motion to stay proceedings without first seeking leave of court. Plaintiff objects to and moves
18 to strike the addendum.

19 A party must seek leave of court before filing any supplemental pleading. See
20 Fed.R.Civ.P. 15(d). As such, the addendum may be stricken as improperly filed. However, the
21 Court finds the addendum pertinent to the issues raised in the motion to stay the proceedings
22 and therefore, denies the request to strike the document. Plaintiff shall have an opportunity
23 to file a response.¹

24 Accordingly, **IT IS HEREBY ORDERED:**

25 1. Plaintiff's motion to strike is **DENIED**.

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¹Plaintiff includes a request to respond to the addendum in its motions.

1 2. Plaintiff shall file a response to the addendum **on or before October 15, 2007.**
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3 DATED: October 5, 2007

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5 HON. JOHN A. HOUSTON
6 United States District Judge
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